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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Giuseppe DE'LONGHI
Patent App. 10/519,703
Filed 23 December 2004 Conf. No. 7270
For PASTA COOKING DEVICE AND METHOD
Art Unit 1761 Examiner Simone, T
Hon. Commissioner of Patents
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TERMINAL DISCLAIMER TO OVERCOME A DOUBLE-PATENTING REJECTION

The undersigned states:

That he is the duly appointed attorney for the inventor of the above-captioned application;

That 100% ownership of application 10/519,703 has been assigned to DE' LONGHI S.p.A. in an assignment recorded in the parent PCT application.

That the undersigned hereby disclaims the terminal part of any patent granted on application 10/519,703 which would extend beyond the expiration date of the full statutory term defined in 35 USC 154-156 and 173, as currently shortened by any terminal disclaimer, of patent 7,105,780 and hereby agrees that any patent so granted on application 10/519,703 shall be enforceable only as long and during such period as the legal title thereto shall be the same as the legal title to patent 7,105,780, this agreement to run with any patent granted on application 10/519,703 and to be binding upon the grantee thereof, its successors, and assigns; and

In making the above disclaimer the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154-165 and 173 of patent 7,105,780, as currently shortened by any terminal disclaimer, in the event that it later either expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as currently shortened by any terminal disclaimer.

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